

Assembly Bill No. 795

CHAPTER 617

An act to add Section 7597.1 to the Government Code, relating to public postsecondary education.

[Approved by Governor October 8, 2011. Filed with
Secretary of State October 10, 2011.]

LEGISLATIVE COUNSEL'S DIGEST

AB 795, Block. Public postsecondary education: smoke-free campuses.

Existing law establishes the University of California, under the administration of the Regents of the University of California, the California State University, under the administration of the Trustees of the California State University, and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as the public segments of postsecondary education.

Existing law prohibits public employees or members of the public from smoking any tobacco product inside a public building or in an outdoor area, as specified. Existing law states that provision does not preempt the authority of the California Community Colleges, the California State University, or the University of California from adopting and enforcing additional smoking and tobacco control regulations and policies.

This bill would provide that the governing bodies of the California State University and each community college district have the authority to enforce these requirements by citation and fine, as specified. The bill would provide that if a campus adopts the enforcement and fine authority, it may post signs stating its tobacco use policy and inform employees and students of the policy, as specified.

This bill would authorize the Regents of the University of California to adopt the above provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 7597.1 is added to the Government Code, to read:

7597.1. (a) The governing bodies of the California State University, the University of California, and each community college district have the authority to:

- (1) Set enforcement standards for their local campuses.
- (2) Impose a fine for a first, second, and third offense and for each subsequent offense. The amount of fines is to be determined by the local governing body. Funds shall be allocated to include, but not be limited to, the designated enforcement agency, education and promotion of the policy,

and tobacco cessation treatment options. The civil penalty shall not exceed one hundred dollars (\$100).

(b) If a campus adopts the enforcement and fine measures in subdivision (a), it shall, and the campuses of the University of California may, post signs stating their tobacco use policy on campus, as follows:

(1) The locations at which smoking or tobacco use is prohibited on campus.

(2) The locations at which smoking or tobacco use is permitted on campus.

(c) If a campus adopts the enforcement and fine measure in subdivision (a), it shall, and a campus of the University of California may, inform employees and students of the tobacco use policy and enforcement measures employed on their campus.